

INTERIOR BOARD OF INDIAN APPEALS

Estate of Joe Charley, Jr.

53 IBIA 257 (07/01/2011)

United States Department of the Interior



OFFICE OF HEARINGS AND APPEALS INTERIOR BOARD OF INDIAN APPEALS 801 NORTH QUINCY STREET SUITE 300 ARLINGTON, VA 22203

ESTATE OF JOE CHARLEY, Jr.)	Order Dismissing Appeal
)	Docket No. IBIA 10-008
)	July 1, 2011
Appellant Local Loan Company	y appeale	d to the Board of Indian Ap

Appellant Local Loan Company appealed to the Board of Indian Appeals (Board) from an Order Denying Petition for Rehearing entered on September 28, 2009, by Administrative Law Judge Richard L. Reeh (ALJ) in the estate of Joe Charley, Jr. (Decedent), deceased Cheyenne and Arapaho Indian, Probate No. P000070126IP. Appellant had submitted a claim against Decedent's estate, which was denied in the ALJ's underlying Order Determining Heirs and Decree of Distribution, and the ALJ found no basis for granting rehearing on Appellant's petition.

In January 2011, Decedent's heirs submitted a statement to the Board in which they agreed that Appellant's claim may be paid from funds currently on deposit in Decedent's Individual Indian Money account. The heirs also agreed that a claim of Check Cashers, Inc., may also be paid. Therefore, on January 14, 2011, the Board stayed this appeal, and remanded this matter for consideration of the heirs' statement as a settlement of this appeal.

On May 9, 2011, the Board received a copy of the ALJ's May 4, 2011, Order of Modification Upon Approval of Settlement Agreement (Order). In his Order, the ALJ construed the heirs' statement as a proposed settlement agreement, and approved it. The Board then issued an order advising the parties that the Board intended to dismiss this appeal as moot unless objections were received by June 10, 2011.

No objections have been received by the Board.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board dismisses this appeal as moot.

	I concur:		
// original signed	// original signed		
Debora G. Luther	Steven K. Linscheid		
Administrative Judge	Chief Administrative Judge		